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☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Acts and Bills of the Governor General of India in Council, &c.

THE PETROLEUM BILL, 1880.

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19. Power to extend this Act to other substances.

THE SCHEDULE.

A Bill to Regulate the importation, possession and transport of Petroleum and other substances of a like nature.

WHEREAS it is expedient to regulate the importation, possession and transport of petroleum and other substances of a like nature; It is hereby enacted as follows:—

Preamble.

Preliminary.

1. This Act may be called "The Petroleum Act, 1880"; and it shall come into force on the first day of January, 1881.

Short title.
Committee's recommendations, para 1.
Commencement.

The provisions of this Act relating to—

Local extent.

(*a*) dangerous petroleum, and

(*b*) the importation of first class and second class petroleum,

extend to the whole of British India. The rest of this Act extends only to such local areas as the Local Government may, from time to time, by notification in the official Gazette, direct.

2. The Indian Ports Act, 1875, section thirty-seven, and Bengal Act No. III of 1865, (*to make better provision for the prevention of injury from fire in ports, and to provide for the safe keeping of inflammable oils in ports and places within the Provinces under the control of the Lieutenant-Governor of Bengal*) are hereby repealed.

Repeal of enactments.

3. In this Act, unless there is something repugnant in the subject or context,—

Interpretation-clause.

"Petroleum." includes also the liquids commonly known by the names of rock oil, Rangoon oil, Burma oil, kerosine, paraffine oil, mineral oil, petroline, gasoline, benzol, benzoline, benzine and any inflammable liquid that is made from petroleum, coal, schist, shale, peat or any other bituminous substance or from any products of petroleum.

34 and 35 Vic., c. 105, s. 3, with additions from Committee's report.
"Petroleum."

But does not include any oil ordinarily used for lubricating purposes, and having its flashing point at or above two hundred and fifty degrees of Fahrenheit's thermometer.

Committee's recommendations, para 3.

Explanation.—The flashing point of petroleum means the lowest temperature at which the petroleum yields a vapour which will furnish a momentary flash or flame when tested with the apparatus and in the manner described in the Schedule hereto annexed.

Committee's recommendations, para. 4.

"First class petroleum" means petroleum having its flashing point at or above one hundred and three degrees of Fahrenheit's thermometer:

Committee's recommendations, para. 6.
"First class petroleum."

"Second class petroleum" means petroleum having its flashing point at or above eighty-three, but below one hundred and three, degrees of Fahrenheit's thermometer:

"Second class petroleum."

"Dangerous petroleum" means petroleum having its flashing point below eighty-three degrees of Fahrenheit's thermometer:

"Dangerous petroleum."

"Import" means to bring into British India by sea or land;
"Import."

and "importation" means the bringing into British India as aforesaid.

"Transport" means to remove from one place to another within British India;
"Transport."

"Ship" includes anything made for the conveyance by water of human beings or property;
"Ship."

"Master" includes every person (except a Pilot or Harbour Master) having for the time being the charge or control of a ship;
"Master."

"Magistrate" means, in the Presidency-towns, a Presidency Magistrate, and elsewhere a Magistrate of the first class or (when specially empowered by the Local Government to try cases under this Act) a Magistrate of the second class: and
"Magistrate."

"Owner" includes also any agent to whom a ship is consigned.
"Owner."

First class and second class petroleum.

4. The Local Government may, from time to time, make rules to regulate the importation of first class petroleum and second class petroleum; and in particular—

Committee's recommendations, paras 12 to 20.
Power to make rules as to the importation of first and second class petroleum.

(*a*) for ascertaining the quantity and description of any such petroleum on board a ship.

(*b*) to provide for the delivery by the master of a ship of samples of such petroleum and for the testing thereof before such petroleum is landed from such ship;

(*c*) to determine the places at which only such petroleum may be landed; and

(*d*) to regulate the time and mode of, and the precautions to be taken on, landing or transhipping any such petroleum.

5. No quantity of first class petroleum exceeding five hundred gallons, and

Possession and transport of first and second class petroleum.

no quantity of second class petroleum exceeding forty gallons,

shall be kept by any one person or on the same premises or shall be transported except under and in accordance with the conditions of a license granted under this Act.

6. The Local Government may from time to time make rules as to the granting of licenses to possess or transport first and second class petroleum in cases where such licenses are by law required.

Power to make rules as to such possession and transport.

Such rules may provide for the following among other matters, that is to say :—

in the case of licenses to possess petroleum—

(*a*) the nature and situation of the premises for which they may be granted, and

(*b*) the inspection of licensed premises and the testing of petroleum found thereon ;

in the case of licenses to transport petroleum—

(*c*) the manner in which such petroleum shall be packed, the mode of transit, and the route by which it is to be taken, and

(*d*) the stoppage and inspection of it during transit ;

in the case of both such licenses—

(*e*) the authority by which the license may be granted ;

(*f*) the fee to be charged for it ;

(*g*) the quantity of petroleum it is to cover ;

(*h*) the conditions which may be inserted in it ;

(*j*) the time during which it is to continue in force ; and

(*k*) the renewal of the license.

Dangerous Petroleum.

7. No quantity of dangerous petroleum exceeding forty gallons shall be imported or transported, or kept by any one person or on the same premises, except under, and in accordance with the conditions of, a license from the Local Government granted as next hereinafter provided.

Dangerous petroleum in quantities exceeding 40 gallons.

Every application for such a license shall be in writing, and shall declare—

Application for license to import, transport or possess such petroleum.

(*a*) the quantity of such petroleum which it is desired to import, transport or possess as the case may be ;

(*b*) the purpose for which the applicant believes that such petroleum will be used ; and

(*c*) that petroleum other than dangerous petroleum cannot be used for such purpose.

If the Local Government sees reason to believe that such petroleum will be used for such purpose and that no petroleum other than dangerous petroleum can be used for such purpose, it may grant such license for the importation, transport or possession (as the case may be) of such petroleum, absolutely or subject to such conditions as it thinks fit.

Power to grant License.

8. No quantity of dangerous petroleum equal to or less than forty gallons shall be kept or transported without a license;

Dangerous petroleum in quantities not exceeding 40 gallons.

Provided that nothing in this section shall apply in any case when the quantity of such petroleum kept by any one person or on the same premises or transported does not exceed three gallons and such petroleum is placed in separate glass, earthenware or metal vessels each of which contains not more than a pint and is securely stopped.

34 and 35 Vic., c. 105, s. 8.

9. Except as hereinbefore provided, the provisions contained in sections four and six in respect of first and second class petroleum shall apply also to dangerous petroleum.

Applications of sections 4 and 6.

Petroleum generally.

10. All petroleum—

34 and 35, Vic., c. 105, s. 6.
Vessels containing petroleum to be marked.

(*a*) which is kept at any place after seven days from the date on which it is imported,

(*b*) which is transported, or

(*c*) which is sold or exposed for sale,

shall be contained in vessels which shall bear an indelible mark or label in conspicuous characters stating what description of petroleum herein specified the same is.

Cf. Act I of 1878, s. 9.

11. Any officer specially authorized in this behalf by the Local Government may require any dealer in petroleum to shew him any place, and any of the vessels, in which any petroleum in his possession is stored or contained, to give him such assistance as he may require for examining the same and to deliver to him samples of such petroleum on payment of the value of such samples.

34 and 35 Vic., c. 105, s. 11.
Power to inspect and require dealer to sell samples.

12. When any such officer has, in exercise of the powers conferred by section eleven, or by purchase, obtained a sample of petroleum in the possession of a dealer, he may give a notice in writing to such dealer informing him that he is about to test such sample or cause the same to be tested with the apparatus and in the manner described in the Schedule hereto annexed, at a time and place to be fixed in such notice, and that such person or his Agent may be present at such testing.

Ibid.
Notice to be given when officer proposes to test samples.

13. On any such testing, if it appears to the officer or other person so testing that the petroleum from which such sample has been taken is first class, second class or dangerous petroleum, such officer or other person may certify such fact, and the certificate so given shall be receivable as evidence in any proceedings which may be taken under this Act against the dealer in whose possession such petroleum was found; and shall be *primâ facie* proof of the fact stated therein.

Ibid.
Certificate as to result of such testing.

Penalties.

14. Any person who, in contravention of this Act or of any rules made hereunder, imports, possesses or transports any petroleum, and any person who otherwise contravenes any such rules or any condition contained in a license granted hereunder, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

Penalty for illegal importation, &c., of petroleum.

15. Any person keeping, transporting, selling or exposing for sale petroleum in vessels not marked as prescribed by section ten shall be punished with fine which may extend to fifty rupees.

34 and 35 Vic., c. 105, s. 63. Penalty for keeping, transporting or exposing for sale petroleum in contravention of section 10.

16. Any dealer in petroleum who refuses or neglects to shew to any officer authorized under section eleven any place, or any of the vessels, in which petroleum in his possession is stored or contained, or to give him such assistance as he may require for examining the same, or to give him samples of such petroleum on payment of the value of such samples, shall be punished with fine which may extend to two hundred rupees.

34 and 35 Vic., c. 105, s. 12. Penalty for refusing to comply with section 11.

17. In any case in which an offence under section fourteen or section fifteen has been committed, the convicting Magistrate may direct that—

Cf. Act I of 1878, s. 11. Confiscation of petroleum.

(*a*) the petroleum in respect of which the offence has been committed, or

(*b*) where the offender is importing or transporting or is in possession of any petroleum exceeding the quantity (if any) which he is permitted to import, transport or possess, as the case may be, the whole of the petroleum which he is importing or transporting, or is in possession of,

shall be confiscated.

Miscellaneous.

18. All rules made by the Local Government under this Act shall be published in the official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law:

Rules when to have force of law.

Provided that no such rule shall be so published without the previous sanction of the Governor General in Council.

19. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, extend the whole or any portion of this Act to any inflammable substance other than petroleum, and may by such notification fix, in substitution for the quantities of petroleum fixed by sections five, seven and eight, the quantities of such substance to which these sections shall apply.

34 and 35 Vic., c. 105, s. 14. Power to extend this Act to other substances.

The Governor General in Council may by a like notification cancel any notification issued under this section.

THE SCHEDULE.

Specification explanatory of the Test Apparatus.

The following is a description of the details of the apparatus:—

Committee's recommendations, para 5, and 42 and 43 Vic., c. 47.

The oil cup consists of a cylindrical vessel 2″ diameter, $2\frac{2}{10}$″ height (internal), with outward projecting rim $\frac{5}{10}$″ wide, $\frac{3}{8}$″ from the top and $1\frac{7}{8}$″ from the bottom of the cup. It is made of gun metal or brass (17 B. W. G.), tinned inside. A bracket, consisting of a short stout piece of wire, bent upwards and terminating in a point, is fixed to the inside of the cup to serve as a gauge. The distance of the point from the bottom of the cup is $1\frac{1}{2}$″. The cup is provided with a closefitting overlapping cover made of brass (22 B. W. G.) which carries the thermometer and test lamp. The latter is suspended from two supports from the side by means of trunnions, upon which it may be made to oscillate; it is provided with a spout the mouth of which is $\frac{1}{16}$″ in diameter. The socket which is to hold the thermometer is fixed at such an angle, and its length is so adjusted, that the bulb of the thermometer, when inserted to its full depth, shall be $1\frac{1}{2}$″ below the centre of the lid.

The cover is provided with three square holes, one in the centre $\frac{5}{10}$″ by $\frac{4}{10}$″, and two smaller ones, $\frac{3}{10}$″ by $\frac{2}{10}$″, close to the sides and opposite each other. These three holes may be closed and uncovered by means of a slide moving in grooves, and having perforations corresponding to those on the lid.

In moving the slide so as to uncover the holes, the oscillating lamp is caught by a pin fixed in the slide, and tilted in such a way as to bring the end of the spout just below the surface of the lid. Upon the slide being pushed back so as to cover the holes, the lamp returns to its original position.

Upon the cover, in front of, and in line with, the mouth of the lamp, is fixed a white bead the dimensions of which represent the size of the test flame to be used.

The bath or heated vessel consists of two flat-bottomed copper cylinders (24 B. W. G.), an inner one of 3″ diameter and $2\frac{1}{2}$″ height, and an outer one of $5\frac{1}{2}$″ diameter and $5\frac{3}{4}$″ height; they are soldered to a circular copper plate (20 B. W. G.) perforated in the centre, which forms the top of the bath, in such a manner as to inclose the space between the two cylinders, but leaving access to the inner cylinder. The top of the bath projects both outwards and inwards about $\frac{3}{8}$″, that is, its diameter is about $\frac{6}{8}$″ greater than that of the body of the bath, while the diameter of the circular opening in the centre is about the same amount less than that of the inner copper cylinder. To the inner projection of the top is fastened, by six small screws, a flat ring of ebonite, the screws being sunk below the surface of the ebonite to avoid metallic contact between the bath and the oil cup. The exact distance between the sides and bottom of the bath of the oil lamp is $1\frac{1}{2}$″. A split socket similar to that on the cover of the oil cup, but set at a right angle, allows a thermometer to be inserted into the space between the two cylinders. The bath is further provided with a funnel, an overflow pipe, and two loop handles.

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a copper cylinder or jacket (24 B. W. G.), flanged at the top, and of such dimensions that the bath, while firmly resting on the iron ring, just touches with its projecting top the inward-turned flange. The diameter of this outer jacket is $6\frac{1}{2}$″. One of the three legs of the stand serves as support for the spirit lamp, attached to it by means of a small swing bracket. The distance of the wick holder from the bottom of the bath is 1″.

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point. The thermometer

for ascertaining the temperature of the water has a long bulb and a space at the top. Its range is from about 90° to 190° Fahrenheit. The scale (in degrees of Fahrenheit) is marked on an ivory back fastened to the tube in the usual way; it is fitted with a metal collar fitting the socket, and the part of the tube below the scale should have a length of about $3\frac{1}{2}''$ measured from the lower end of the scale to the end of the bulb. The thermometer for ascertaining the temperature of the oil is fitted with collar and ivory scale in a similar manner to the one described. It has a round bulb, a space at the top, and ranges from about 55° F. to 150° F.; it measures from end of ivory back to bulb $2\frac{1}{4}''$.

Directions for applying the Test.

1. The test apparatus is to be placed for use in a position where it is not exposed to currents of air or draughts.

2. The heating vessel or water-bath is filled by pouring water into the funnel until it begins to flow out at the spout of the vessel. The temperature of the water at the commencement of the test is to be 130° Fahrenheit, and this is attained in the first instance either by mixing hot and cold water in the bath, or in a vessel from which the bath is filled, until the thermometer which is provided for testing the temperature of the water gives the proper indication; or by heating the water with the spirit lamp (which is attached to the stand of the apparatus) until the required temperature is indicated.

If the water has been heated too highly, it is easily reduced to 130° by pouring in cold water little by little (to replace a portion of the warm water) until the thermometer gives the proper reading.

When a test has been completed, this water-bath is again raised to 130° by placing the lamp underneath, and the result is readily obtained while the petroleum cup is being emptied, cooled, and refilled with a fresh sample to be tested. The lamp is then turned on its swivel from under the apparatus, and the next test is proceeded with.

3. The test lamp is prepared for use by fitting it with a piece of flat plaited candle-wick, and filling it with colza or rape oil up to the lower edge of the opening of the spout or wick tube. The lamp is trimmed so that when lighted it gives a flame of about 0·15 of an inch diameter, and this size of flame which is represented by the projecting white bead on the cover of the oil cup is readily maintained by simple manipulation from time to time with a small wire trimmer.

When gas is available it may be conveniently used in place of the little oil lamp, and for this purpose a test flame arrangement for use with gas may be substituted for the lamp.

4. The bath having been raised to the proper temperature, the oil to be tested is introduced into the petroleum cup, being poured in slowly until the level of the liquid just reaches the point of the gauge which is fixed in the cup. In warm weather the temperature of the room in which the samples to be tested have been kept should be observed in the first instance, and if it exceeds 65°, the samples to be tested should be cooled down (to about 60°) by immersing the bottle containing them in cold water, or by any other convenient method. The lid of the cup, with the slide closed, is then put on, and the cup is put into the bath or heating vessel. The thermometer in the lid of the cup has been adjusted so as to have its bulb just immersed in the liquid, and its position is not under any circumstances to be altered. When the cup has been placed in the proper position, the scale of the thermometer faces the operator.

NOTE.—A model apparatus is deposited at the office of the Master of the Mint, Calcutta.

5. The test lamp is then placed in position upon the lid of the cup, the lead line or pendulum,* which has been fixed in a convenient position in front of the operator, is set in motion, and the rise of the thermometer in the petroleum cup is watched. When the temperature has reached about 66°, the operation of testing is to be commenced, the test flame being applied once for every rise of one degree in the following manner:—

The slide is slowly drawn open while the pendulum performs three oscillations, and is closed during the fourth oscillation.

NOTE.—If it is desired to employ the test apparatus to determine the flashing points of oils of very low volatility, the mode of proceeding is to be modified as follows:—

The air chamber which surrounds the cup is filled with cold water, to a depth of 1½ inches, and the heating vessel or water-bath is filled as usual, but also with cold water. The lamp is then placed under the apparatus and kept there during the entire operation. If a very heavy oil is being dealt with, the operation may be commenced with water previously heated to 120°, instead of with cold water.

STATEMENT OF OBJECTS AND REASONS.

FOR some time past the dangerous nature of the inflammable oils which are being imported into this country has been engaging the attention of Government. In November, 1878, the notice of the Government of India was first drawn to the subject by the Government of Bombay, with a view, if necessary, to legislation being resorted to to check the importation of dangerous oils. On a reference being made to the Government of Bengal as to the expediency of such legislation, it was found that the subject had already been for some time before that Government, and that a Committee had been appointed for the purpose of considering the question of these oils in all its bearings. This Committee, which was composed of officials, experts and gentlemen interested in the trade, has presented its report, in which it strongly urges the necessity for legislation, and puts forward certain recommendations as to the lines on which in its opinion such legislation should proceed.

2. These recommendations follow, with certain modifications, introduced to meet the special circumstances, climatic and otherwise, of India, the outlines of 34 & 35 Vic., cap. 105 (since amended by 42 & 43 Vic., cap. 47), which is the principal Act governing this subject in the United Kingdom. They appear well adapted to carry out the object which the Committee had in view, namely, practical security of life and property, with the minimum of restrictions on an important and rapidly developing trade.

3. The following is the general substance of the conclusions of the Committee:—

1*st*.—All petroleum should be divided into three classes, namely,—

(*a*) first class petroleum with a flashing point at or above 103° F.;
(*b*) second class petroleum with a flashing point between 83° and 103° F.;
(*c*) dangerous petroleum with a flashing point below 83° F.

} According to Abel's close test.

2*ndly*.—All petroleum should be tested by Abel's close test, which has recently been adopted in the United Kingdom (see 42 & 43 Vic., cap 47, the Petroleum Act, 1879), for the purposes of the Petroleum Act, 1871, in preference to the old or open test which was fixed by that Act.

3*rdly*.—As second class petroleum flashes only at a temperature of 83°, or 10° higher than the temperature (73°) at which petroleum is considered safe enough to be exempted

* This pendulum is two (2) feet in length from the point of suspension to the centre of gravity of the weight.

from the provisions of the English Petroleum Act (see 42 & 43 Vic., cap, 47), and may therefore be regarded as at all events fairly safe, the importation, storage and transport of such petroleum, as well as of first class petroleum, should be left reasonably free, while the importation, storage and transport of dangerous petroleum, if not actually prohibited, should be subjected to such severe restrictions as practically to be so for purposes of ordinary use.

4. The Government of India has considered this report, and is disposed to concur generally in its conclusions and in the scheme of legislation contained in the Committee's recommendations. As the Government of Madras and the Chief Commissioner of Burma, as well as the Governments of Bombay and Bengal, are in favor of legislation, the Government of India is willing to accept the recommendation of the Committee that the legislation to be undertaken should be in the Council of the Governor General, and accordingly the present Bill, which embodies generally the recommendations of the Committee, has been prepared.

5. As it seems desirable to check at once and generally, the trade in dangerous petroleum (and it would be unfair if all ports were not put on the same footing as to the importation of first class and second class petroleum), the provisions of the Bill relating to dangerous petroleum and the importation of first class and second class petroleum are made to extend to the whole of India; but its other provisions are only applicable at the discretion of the Local Government.

The details of the measure have been left in a great measure to rules to be framed by the Local Government, with the sanction of the Governor General in Council, as this seems the most convenient course in a case of this sort, where the local circumstances and peculiar features of the trade of various places have to be considered.

6. A section has been added to the Bill corresponding with section 14 of 34 & 35 Vic., cap. 105, enabling the Governor General in Council hereafter to extend the Act to substances other than petroleum, and to adapt certain of the provisions of the Act to the case of such substances.

7. The length of the pendulum which was by an oversight omitted from the description of Professor Abel's test in the first schedule to the 42 & 43 Vic., cap. 47, has been inserted in a foot-note to the schedule of the Bill on information furnished by Mr. Pedler.

8. The opportunity has been taken to repeal the thirty-seventh section of the Indian Ports Act relating to inflammable oils, and Bengal Act, No. III of 1865, which regulates in Calcutta and Howrah the importation and storage of inflammable oils, as the present Bill will make those enactments unnecessary.

The 3rd July 1880. WHITLEY STOKES.

Mysore Govt. Press, Bangalore.—1880.

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PART III.

Acts and Bills of the Governor General of India in Council, &c.

THE PETROLEUM BILL, 1880.

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7. Dangerous petroleum in quantities exceeding 40 gallons.
   Application for license to import, transport or possess such petroleum.
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14. Penalty for illegal importation, &c., of petroleum
15. Penalty for keeping, &c., petroleum in contravention of section 10.
16. Penalty for refusing to comply with section 11.
17. Confiscation of petroleum.

Miscellaneous.

18. Rules when to have force of law.
19. Power to extend this Act to other substances.

THE SCHEDULE.

A Bill to Regulate the importation, possession and transport of Petroleum and other substances of a like nature.

WHEREAS it is expedient to regulate the importation, possession and transport of petroleum and other substances of a like nature; It is hereby enacted as follows:—

Preamble.

Preliminary.

1. This Act may be called "The Petroleum Act, 1880"; and it shall come into force on the first day of January, 1881.

Short title.

Committee's recommendations, para 1.

Commencement.

The provisions of this Act relating to—

Local extent.

(*a*) dangerous petroleum, and

(*b*) the importation of first class and second class petroleum,

extend to the whole of British India. The rest of this Act extends only to such local areas as the Local Government may, from time to time, by notification in the official Gazette, direct.

2. The Indian Ports Act, 1875, section thirty-seven, and Bengal Act No. III of 1865, (*to make better provision for the prevention of injury from fire in ports, and to provide for the safe keeping of inflammable oils in ports and places within the Provinces under the control of the Lieutenant-Governor of Bengal*) are hereby repealed.

Repeal of enactments.

3. In this Act, unless there is something repugnant in the subject or context,—

Interpretation-clause.

"Petroleum" includes also the liquids commonly known by the names of rock oil, Rangoon oil, Burma oil, kerosine, paraffine oil, mineral oil, petroline, gasoline, benzol, benzoline, benzine and any inflammable liquid that is made from petroleum, coal, schist, shale, peat or any other bituminous substance or from any products of petroleum.

34 and 35 Vic., c. 105, s. 3, with additions from Committee's report.

"Petroleum."

But does not include any oil ordinarily used for lubricating purposes, and having its flashing point at or above two hundred and fifty degrees of Fahrenheit's thermometer.

Committee's recommendations, para 3.

Explanation.—The flashing point of petroleum means the lowest temperature at which the petroleum yields a vapour which will furnish a momentary flash or flame when tested with the apparatus and in the manner described in the Schedule hereto annexed.

Committee's recommendations, para. 4.

"First class petroleum" means petroleum having its flashing point at or above one hundred and three degrees of Fahrenheit's thermometer:

Committee's recommendations, para. 6.
"First class petroleum."

"Second class petroleum" means petroleum having its flashing point at or above eighty-three, but below one hundred and three, degrees of Fahrenheit's thermometer:

"Second class petroleum."

"Dangerous petroleum" means petroleum having its flashing point below eighty-three degrees of Fahrenheit's thermometer:

"Dangerous petroleum."

"Import" means to bring into British India by sea or land;

"Import."

and "importation" means the bringing into British India as aforesaid.

"Transport" means to remove from one place to another within British India;

"Transport."

"Ship" includes anything made for the conveyance by water of human beings or property;

"Ship."

"Master" includes every person (except a Pilot or Harbour Master) having for the time being the charge or control of a ship;

"Master."

"Magistrate" means, in the Presidency-towns, a Presidency Magistrate, and elsewhere a Magistrate of the first class or (when specially empowered by the Local Government to try cases under this Act) a Magistrate of the second class: and

"Magistrate."

"Owner" includes also any agent to whom a ship is consigned.

"Owner."

First class and second class petroleum.

4. The Local Government may, from time to time, make rules to regulate the importation of first class petroleum and second class petroleum; and in particular—

Committee's recommendations, paras 12 to 20.
Power to make rules as to the importation of first and second class petroleum.

(*a*) for ascertaining the quantity and description of any such petroleum on board a ship.

(*b*) to provide for the delivery by the master of a ship of samples of such petroleum and for the testing thereof before such petroleum is landed from such ship;

(*c*) to determine the places at which only such petroleum may be landed; and

(*d*) to regulate the time and mode of, and the precautions to be taken on, landing or transhipping any such petroleum.

5. No quantity of first class petroleum exceeding five hundred gallons, and

Possession and transport of first and second class petroleum.

no quantity of second class petroleum exceeding forty gallons,

shall be kept by any one person or on the same premises or shall be transported except under and in accordance with the conditions of a license granted under this Act.

6. The Local Government may from time to time make rules as to the granting of licenses to possess or transport first and second class petroleum in cases where such licenses are by law required.

Power to make rules as to such possession and transport.

Such rules may provide for the following among other matters, that is to say :—

in the case of licenses to possess petroleum—

(*a*) the nature and situation of the premises for which they may be granted, and

(*b*) the inspection of licensed premises and the testing of petroleum found thereon ;

in the case of licenses to transport petroleum—

(*c*) the manner in which such petroleum shall be packed, the mode of transit, and the route by which it is to be taken, and

(*d*) the stoppage and inspection of it during transit ;

in the case of both such licenses—

(*e*) the authority by which the license may be granted ;

(*f*) the fee to be charged for it ;

(*g*) the quantity of petroleum it is to cover ;

(*h*) the conditions which may be inserted in it ;

(*j*) the time during which it is to continue in force ; and

(*k*) the renewal of the license.

Dangerous Petroleum.

7. No quantity of dangerous petroleum exceeding forty gallons shall be imported or transported, or kept by any one person or on the same premises, except under, and in accordance with the conditions of, a license from the Local Government granted as next hereinafter provided.

Dangerous petroleum in quantities exceeding 40 gallons.

Every application for such a license shall be in writing, and shall declare—

Application for license to import, transport or possess such petroleum.

(*a*) the quantity of such petroleum which it is desired to import, transport or possess as the case may be ;

(*b*) the purpose for which the applicant believes that such petroleum will be used ; and

(*c*) that petroleum other than dangerous petroleum cannot be used for such purpose.

If the Local Government sees reason to believe that such petroleum will be used for such purpose and that no petroleum other than dangerous petroleum can be used for such purpose, it may grant such license for the importation, transport or possession (as the case may be) of such petroleum, absolutely or subject to such conditions as it thinks fit.

Power to grant License.

8. No quantity of dangerous petroleum equal to or less than forty gallons shall be kept or transported without a license ;

Dangerous petroleum in quantities not exceeding 40 gallons.

Provided that nothing in this section shall apply in any case when the quantity of such petroleum kept by any one person or on the same premises or transported does not exceed three gallons and such petroleum is placed in separate glass, earthenware or metal vessels each of which contains not more than a pint and is securely stopped.

34 and 35 Vic., c. 105, s. 8.

9. Except as hereinbefore provided, the provisions contained in sections four and six in respect of first and second class petroleum shall apply also to dangerous petroleum.

Applications of sections 4 and 6.

Petroleum generally.

10. All petroleum—

34 and 35, Vic., c. 105, s. 6.
Vessels containing petroleum to be marked.

(*a*) which is kept at any place after seven days from the date on which it is imported,

(*b*) which is transported, or

(*c*) which is sold or exposed for sale,

shall be contained in vessels which shall bear an indelible mark or label in conspicuous characters stating what description of petroleum herein specified the same is.

Cf. Act I of 1878, s. 9.

11. Any officer specially authorized in this behalf by the Local Government may require any dealer in petroleum to shew him any place, and any of the vessels, in which any petroleum in his possession is stored or contained, to give him such assistance as he may require for examining the same and to deliver to him samples of such petroleum on payment of the value of such samples.

34 and 35 Vic., c. 105, s. 11.
Power to inspect and require dealer to sell samples.

12. When any such officer has, in exercise of the powers conferred by section eleven, or by purchase, obtained a sample of petroleum in the possession of a dealer, he may give a notice in writing to such dealer informing him that he is about to test such sample or cause the same to be tested with the apparatus and in the manner described in the Schedule hereto annexed, at a time and place to be fixed in such notice, and that such person or his Agent may be present at such testing.

Ibid.
Notice to be given when officer proposes to test samples.

13. On any such testing, if it appears to the officer or other person so testing that the petroleum from which such sample has been taken is first class, second class or dangerous petroleum, such officer or other person may certify such fact, and the certificate so given shall be receivable as evidence in any proceedings which may be taken under this Act against the dealer in whose possession such petroleum was found ; and shall be *prima facie* proof of the fact stated therein.

Ibid.
Certificate as to result of such testing.

Penalties.

14. Any person who, in contravention of this Act or of any rules made hereunder, imports, possesses or transports any petroleum, and any person who otherwise contravenes any such rules or any condition contained in a license granted hereunder, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

Penalty for illegal importation, &c., of petroleum.

15. Any person keeping, transporting, selling or exposing for sale petroleum in vessels not marked as prescribed by section ten shall be punished with fine which may extend to fifty rupees.

34 and 35 Vic., c. 105, s. 63. Penalty for keeping, transporting or exposing for sale petroleum in contravention of section 10.

16. Any dealer in petroleum who refuses or neglects to shew to any officer authorized under section eleven any place, or any of the vessels, in which petroleum in his possession is stored or contained, or to give him such assistance as he may require for examining the same, or to give him samples of such petroleum on payment of the value of such samples, shall be punished with fine which may extend to two hundred rupees.

34 and 35 Vic., c. 105, s. 12. Penalty for refusing to comply with section 11.

17. In any case in which an offence under section fourteen or section fifteen has been committed, the convicting Magistrate may direct that—

Cf. Act I of 1878, s. 11. Confiscation of petroleum.

(*a*) the petroleum in respect of which the offence has been committed, or

(*b*) where the offender is importing or transporting or is in possession of any petroleum exceeding the quantity (if any) which he is permitted to import, transport or possess, as the case may be, the whole of the petroleum which he is importing or transporting, or is in possession of,

shall be confiscated.

Miscellaneous.

18. All rules made by the Local Government under this Act shall be published in the official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law:

Rules when to have force of law.

Provided that no such rule shall be so published without the previous sanction of the Governor General in Council.

19. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, extend the whole or any portion of this Act to any inflammable substance other than petroleum, and may by such notification fix, in substitution for the quantities of petroleum fixed by sections five, seven and eight, the quantities of such substance to which these sections shall apply.

34 and 35 Vic., c. 105, s. 14. Power to extend this Act to other substances.

The Governor General in Council may by a like notification cancel any notification issued under this section.

THE SCHEDULE.

Specification explanatory of the Test Apparatus.

The following is a description of the details of the apparatus:—

Committee's recommendations, para 5, and 42 and 43 Vic., c. 47.

The oil cup consists of a cylindrical vessel 2″ diameter, $2\frac{2}{10}$″ height (internal), with outward projecting rim $\frac{5}{10}$″ wide, $\frac{3}{8}$″ from the top and $1\frac{7}{8}$″ from the bottom of the cup. It is made of gun metal or brass (17 B. W. G.), tinned inside. A bracket, consisting of a short stout piece of wire, bent upwards and terminating in a point, is fixed to the inside of the cup to serve as a gauge. The distance of the point from the bottom of the cup is $1\frac{1}{2}$″. The cup is provided with a closefitting overlapping cover made of brass (22 B. W. G.) which carries the thermometer and test lamp. The latter is suspended from two supports from the side by means of trunnions, upon which it may be made to oscillate; it is provided with a spout the mouth of which is $\frac{1}{16}$″ in diameter. The socket which is to hold the thermometer is fixed at such an angle, and its length is so adjusted, that the bulb of the thermometer, when inserted to its full depth, shall be $1\frac{1}{2}$″ below the centre of the lid.

The cover is provided with three square holes; one in the centre $\frac{5}{10}$″ by $\frac{4}{10}$″, and two smaller ones, $\frac{3}{10}$″ by $\frac{2}{10}$″, close to the sides and opposite each other. These three holes may be closed and uncovered by means of a slide moving in grooves, and having perforations corresponding to those on the lid.

In moving the slide so as to uncover the holes, the oscillating lamp is caught by a pin fixed in the slide, and tilted in such a way as to bring the end of the spout just below the surface of the lid. Upon the slide being pushed back so as to cover the holes, the lamp returns to its original position.

Upon the cover, in front of, and in line with, the mouth of the lamp, is fixed a white bead the dimensions of which represent the size of the test flame to be used.

The bath or heated vessel consists of two flat-bottomed copper cylinders (24 B. W. G.), an inner one of 3″ diameter and $2\frac{1}{2}$″ height, and an outer one of $5\frac{1}{2}$″ diameter and $5\frac{3}{4}$″ height; they are soldered to a circular copper plate (20 B. W. G.) perforated in the centre, which forms the top of the bath, in such a manner as to inclose the space between the two cylinders, but leaving access to the inner cylinder. The top of the bath projects both outwards and inwards about $\frac{3}{8}$″, that is, its diameter is about $\frac{6}{8}$″ greater than that of the body of the bath, while the diameter of the circular opening in the centre is about the same amount less than that of the inner copper cylinder. To the inner projection of the top is fastened, by six small screws, a flat ring of ebonite, the screws being sunk below the surface of the ebonite to avoid metallic contact between the bath and the oil cup. The exact distance between the sides and bottom of the bath of the oil lamp is $1\frac{1}{2}$″. A split socket similar to that on the cover of the oil cup, but set at a right angle, allows a thermometer to be inserted into the space between the two cylinders. The bath is further provided with a funnel, an overflow pipe, and two loop handles.

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a copper cylinder or jacket (24 B. W. G.), flanged at the top, and of such dimensions that the bath, while firmly resting on the iron ring, just touches with its projecting top the inward-turned flange. The diameter of this outer jacket is $6\frac{1}{2}$″. One of the three legs of the stand serves as support for the spirit lamp, attached to it by means of a small swing bracket. The distance of the wick holder from the bottom of the bath is 1″.

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point. The thermometer

for ascertaining the temperature of the water has a long bulb and a space at the top. Its range is from about 90° to 190° Fahrenheit. The scale (in degrees of Fahrenheit) is marked on an ivory back fastened to the tube in the usual way; it is fitted with a metal collar fitting the socket, and the part of the tube below the scale should have a length of about 3½" measured from the lower end of the scale to the end of the bulb. The thermometer for ascertaining the temperature of the oil is fitted with collar and ivory scale in a similar manner to the one described. It has a round bulb, a space at the top, and ranges from about 55° F. to 150° F.; it measures from end of ivory back to bulb 2¼".

Directions for applying the Test.

1. The test apparatus is to be placed for use in a position where it is not exposed to currents of air or draughts.

2. The heating vessel or water-bath is filled by pouring water into the funnel until it begins to flow out at the spout of the vessel. The temperature of the water at the commencement of the test is to be 130° Fahrenheit, and this is attained in the first instance either by mixing hot and cold water in the bath, or in a vessel from which the bath is filled, until the thermometer which is provided for testing the temperature of the water gives the proper indication; or by heating the water with the spirit lamp (which is attached to the stand of the apparatus) until the required temperature is indicated.

If the water has been heated too highly, it is easily reduced to 130° by pouring in cold water little by little (to replace a portion of the warm water) until the thermometer gives the proper reading.

When a test has been completed, this water-bath is again raised to 130° by placing the lamp underneath, and the result is readily obtained while the petroleum cup is being emptied, cooled, and refilled with a fresh sample to be tested. The lamp is then turned on its swivel from under the apparatus, and the next test is proceeded with.

3. The test lamp is prepared for use by fitting it with a piece of flat plaited candle-wick, and filling it with colza or rape oil up to the lower edge of the opening of the spout or wick tube. The lamp is trimmed so that when lighted it gives a flame of about 0·15 of an inch diameter, and this size of flame which is represented by the projecting white bead on the cover of the oil cup is readily maintained by simple manipulation from time to time with a small wire trimmer.

When gas is available it may be conveniently used in place of the little oil lamp, and for this purpose a test flame arrangement for use with gas may be substituted for the lamp.

4. The bath having been raised to the proper temperature, the oil to be tested is introduced into the petroleum cup, being poured in slowly until the level of the liquid just reaches the point of the gauge which is fixed in the cup. In warm weather the temperature of the room in which the samples to be tested have been kept should be observed in the first instance, and if it exceeds 65°, the samples to be tested should be cooled down (to about 60°) by immersing the bottle containing them in cold water, or by any other convenient method. The lid of the cup, with the slide closed, is then put on, and the cup is put into the bath or heating vessel. The thermometer in the lid of the cup has been adjusted so as to have its bulb just immersed in the liquid, and its position is not under any circumstances to be altered. When the cup has been placed in the proper position, the scale of the thermometer faces the operator.

NOTE.—A model apparatus is deposited at the office of the Master of the Mint, Calcutta.

5. The test lamp is then placed in position upon the lid of the cup, the lead line or pendulum,* which has been fixed in a convenient position in front of the operator, is set in motion, and the rise of the thermometer in the petroleum cup is watched. When the temperature has reached about 66°, the operation of testing is to be commenced, the test flame being applied once for every rise of one degree in the following manner:—

The slide is slowly drawn open while the pendulum performs three oscillations, and is closed during the fourth oscillation.

NOTE.—If it is desired to employ the test apparatus to determine the flashing points of oils of very low volatility, the mode of proceeding is to be modified as follows:—

The air chamber which surrounds the cup is filled with cold water, to a depth of 1½ inches, and the heating vessel or water-bath is filled as usual, but also with cold water. The lamp is then placed under the apparatus and kept there during the entire operation. If a very heavy oil is being dealt with, the operation may be commenced with water previously heated to 120°, instead of with cold water.

STATEMENT OF OBJECTS AND REASONS.

FOR some time past the dangerous nature of the inflammable oils which are being imported into this country has been engaging the attention of Government. In November, 1878, the notice of the Government of India was first drawn to the subject by the Government of Bombay, with a view, if necessary, to legislation being resorted to to check the importation of dangerous oils. On a reference being made to the Government of Bengal as to the expediency of such legislation, it was found that the subject had already been for some time before that Government, and that a Committee had been appointed for the purpose of considering the question of these oils in all its bearings. This Committee, which was composed of officials, experts and gentlemen interested in the trade, has presented its report, in which it strongly urges the necessity for legislation, and puts forward certain recommendations as to the lines on which in its opinion such legislation should proceed.

2. These recommendations follow, with certain modifications, introduced to meet the special circumstances, climatic and otherwise, of India, the outlines of 34 & 35 Vic., cap. 105 (since amended by 42 & 43 Vic., cap. 47), which is the principal Act governing this subject in the United Kingdom. They appear well adapted to carry out the object which the Committee had in view, namely, practical security of life and property, with the minimum of restrictions on an important and rapidly developing trade.

3. The following is the general substance of the conclusions of the Committee:—

1*st*.—All petroleum should be divided into three classes, namely,—

(*a*) first class petroleum with a flashing point at or above 103° F.;
(*b*) second class petroleum with a flashing point between 83° and 103° F.;
(*c*) dangerous petroleum with a flashing point below 83° F.

} According to Abel's close test.

2*ndly*.—All petroleum should be tested by Abel's close test, which has recently been adopted in the United Kingdom (see 42 & 43 Vic., cap 47, the Petroleum Act, 1879), for the purposes of the Petroleum Act, 1871, in preference to the old or open test which was fixed by that Act.

3*rdly*.—As second class petroleum flashes only at a temperature of 83°, or 10° higher than the temperature (73°) at which petroleum is considered safe enough to be exempted

* This pendulum is two (2) feet in length from the point of suspension to the centre of gravity of the weight.

from the provisions of the English Petroleum Act (see 42 & 43 Vic., cap, 47), and may therefore be regarded as at all events fairly safe, the importation, storage and transport of such petroleum, as well as of first class petroleum, should be left reasonably free, while the importation, storage and transport of dangerous petroleum, if not actually prohibited, should be subjected to such severe restrictions as practically to be so for purposes of ordinary use.

4. The Government of India has considered this report, and is disposed to concur generally in its conclusions and in the scheme of legislation contained in the Committee's recommendations. As the Government of Madras and the Chief Commissioner of Burma, as well as the Governments of Bombay and Bengal, are in favor of legislation, the Government of India is willing to accept the recommendation of the Committee that the legislation to be undertaken should be in the Council of the Governor General, and accordingly the present Bill, which embodies generally the recommendations of the Committee, has been prepared.

5. As it seems desirable to check at once and generally, the trade in dangerous petroleum (and it would be unfair if all ports were not put on the same footing as to the importation of first class and second class petroleum), the provisions of the Bill relating to dangerous petroleum and the importation of first class and second class petroleum are made to extend to the whole of India; but its other provisions are only applicable at the discretion of the Local Government.

The details of the measure have been left in a great measure to rules to be framed by the Local Government, with the sanction of the Governor General in Council, as this seems the most convenient course in a case of this sort, where the local circumstances and peculiar features of the trade of various places have to be considered.

6. A section has been added to the Bill corresponding with section 14 of 34 & 35 Vic., cap. 105, enabling the Governor General in Council hereafter to extend the Act to substances other than petroleum, and to adapt certain of the provisions of the Act to the case of such substances.

7. The length of the pendulum which was by an oversight omitted from the description of Professor Abel's test in the first schedule to the 42 & 43 Vic., cap. 47, has been inserted in a foot-note to the schedule of the Bill on information furnished by Mr. Pedler.

8. The opportunity has been taken to repeal the thirty-seventh section of the Indian Ports Act relating to inflammable oils, and Bengal Act, No. III of 1865, which regulates in Calcutta and Howrah the importation and storage of inflammable oils, as the present Bill will make those enactments unnecessary.

The 3rd July 1880.

WHITLEY STOKES.

Mysore Govt. Press, Bangalore.—1880.

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PART III.

Acts and Bills of the Governor General of India in Council, &c.

THE PETROLEUM BILL, 1880.

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THE SCHEDULE.

**A Bill to Regulate the importation, possession and transport of Petroleum and other substances of a like nature.*

WHEREAS it is expedient to regulate the importation, possession and transport of petroleum and other substances of a like nature; It is hereby enacted as follows:—

Preamble.

Preliminary.

1. This Act may be called "The Petroleum Act, 1880"; and it shall come into force on the first day of January, 1881.

Short title.

Committee's recommendations, para 1.

Commencement.

The provisions of this Act relating to—

Local extent.

(*a*) dangerous petroleum, and

(*b*) the importation of first class and second class petroleum,

extend to the whole of British India. The rest of this Act extends only to such local areas as the Local Government may, from time to time, by notification in the official Gazette, direct.

2. The Indian Ports Act, 1875, section thirty-seven, and Bengal Act No. III of 1865, (*to make better provision for the prevention of injury from fire in ports, and to provide for the safe keeping of inflammable oils in ports and places within the Provinces under the control of the Lieutenant-Governor of Bengal*) are hereby repealed.

Repeal of enactments.

3. In this Act, unless there is something repugnant in the subject or context,—

Interpretation-clause.

"Petroleum" includes also the liquids commonly known by the names of rock oil, Rangoon oil, Burma oil, kerosine, paraffine oil, mineral oil, petroline, gasoline, benzol, benzoline, benzine and any inflammable liquid that is made from petroleum, coal, schist, shale, peat or any other bituminous substance or from any products of petroleum.

34 and 35 Vic., c. 105, s. 3, with additions from Committee's report.

"Petroleum."

But does not include any oil ordinarily used for lubricating purposes, and having its flashing point at or above two hundred and fifty degrees of Fahrenheit's thermometer.

Committee's recommendations, para 3.

Explanation.—The flashing point of petroleum means the lowest temperature at which the petroleum yields a vapour which will furnish a momentary flash or flame when tested with the apparatus and in the manner described in the Schedule hereto annexed.

Committee's recommendations, para. 4.

"First class petroleum" means petroleum having its flashing point at or above one hundred and three degrees of Fahrenheit's thermometer:

Committee's recommendations, para. 6.
"First class petroleum."

"Second class petroleum" means petroleum having its flashing point at or above eighty-three, but below one hundred and three, degrees of Fahrenheit's thermometer:

"Second class petroleum."

"Dangerous petroleum" means petroleum having its flashing point below eighty-three degrees of Fahrenheit's thermometer:.

"Dangerous petroleum."

"Import" means to bring into British India by sea or land;

"Import."

and "importation" means the bringing into British India as aforesaid.

"Transport" means to remove from one place to another within British India;

"Transport."

"Ship" includes anything made for the conveyance by water of human beings or property;

"Ship."

"Master" includes every person (except a Pilot or Harbour Master) having for the time being the charge or control of a ship;

"Master."

"Magistrate" means, in the Presidency-towns, a Presidency Magistrate, and elsewhere a Magistrate of the first class or (when specially empowered by the Local Government to try cases under this Act) a Magistrate of the second class: and

"Magistrate."

"Owner" includes also any agent to whom a ship is consigned.

"Owner."

First class and second class petroleum.

4. The Local Government may, from time to time, make rules to regulate the importation of first class petroleum and second class petroleum; and in particular—

Committee's recommendations, paras 12 to 20.
Power to make rules as to the importation of first and second class petroleum.

(*a*) for ascertaining the quantity and description of any such petroleum on board a ship.

(*b*) to provide for the delivery by the master of a ship of samples of such petroleum and for the testing thereof before such petroleum is landed from such ship;

(*c*) to determine the places at which only such petroleum may be landed; and

(*d*) to regulate the time and mode of, and the precautions to be taken on, landing or transhipping any such petroleum.

5. No quantity of first class petroleum exceeding five hundred gallons, and

Possession and transport of first and second class petroleum.

no quantity of second class petroleum exceeding forty gallons,

shall be kept by any one person or on the same premises or shall be transported except under and in accordance with the conditions of a license granted under this Act.

6. The Local Government may from time to time make rules as to the granting of licenses to possess or transport first and second class petroleum in cases where such licenses are by law required.

Power to make rules as to such possession and transport.

Such rules may provide for the following among other matters, that is to say :—

in the case of licenses to possess petroleum—

(*a*) the nature and situation of the premises for which they may be granted, and

(*b*) the inspection of licensed premises and the testing of petroleum found thereon ;

in the case of licenses to transport petroleum—

(*c*) the manner in which such petroleum shall be packed, the mode of transit, and the route by which it is to be taken, and

(*d*) the stoppage and inspection of it during transit ;

in the case of both such licenses—

(*e*) the authority by which the license may be granted ;

(*f*) the fee to be charged for it ;

(*g*) the quantity of petroleum it is to cover ;

(*h*) the conditions which may be inserted in it ;

(*j*) the time during which it is to continue in force ; and

(*k*) the renewal of the license.

Dangerous Petroleum.

7. No quantity of dangerous petroleum exceeding forty gallons shall be imported or transported, or kept by any one person or on the same premises, except under, and in accordance with the conditions of, a license from the Local Government granted as next hereinafter provided.

Dangerous petroleum in quantities exceeding 40 gallons.

Every application for such a license shall be in writing, and shall declare—

Application for license to import, transport or possess such petroleum.

(*a*) the quantity of such petroleum which it is desired to import, transport or possess as the case may be ;

(*b*) the purpose for which the applicant believes that such petroleum will be used ; and

(*c*) that petroleum other than dangerous petroleum cannot be used for such purpose.

If the Local Government sees reason to believe that such petroleum will be used for such purpose and that no petroleum other than dangerous petroleum can be used for such purpose, it may grant such license for the importation, transport or possession (as the case may be) of such petroleum, absolutely or subject to such conditions as it thinks fit.

Power to grant License.

8. No quantity of dangerous petroleum equal to or less than forty gallons shall be kept or transported without a license ;

Dangerous petroleum in quantities not exceeding 40 gallons.

Provided that nothing in this section shall apply in any case when the quantity of such petroleum kept by any one person or on the same premises or transported does not exceed three gallons and such petroleum is placed in separate glass, earthenware or metal vessels each of which contains not more than a pint and is securely stopped.

34 and 35 Vic., c. 105, s. 8.

9. Except as hereinbefore provided, the provisions contained in sections four and six in respect of first and second class petroleum shall apply also to dangerous petroleum.

Applications of sections 4 and 6.

Petroleum generally.

10. All petroleum—

34 and 35, Vic., c. 105, s. 6.
Vessels containing petroleum to be marked.

(*a*) which is kept at any place after seven days from the date on which it is imported,

(*b*) which is transported, or

(*c*) which is sold or exposed for sale,

shall be contained in vessels which shall bear an indelible mark or label in conspicuous characters stating what description of petroleum herein specified the same is.

Cf. Act I of 1878, s. 9.

11. Any officer specially authorized in this behalf by the Local Government may require any dealer in petroleum to shew him any place, and any of the vessels, in which any petroleum in his possession is stored or contained, to give him such assistance as he may require for examining the same and to deliver to him samples of such petroleum on payment of the value of such samples.

34 and 35 Vic., c. 105, s. 11.
Power to inspect and require dealer to sell samples.

12. When any such officer has, in exercise of the powers conferred by section eleven, or by purchase, obtained a sample of petroleum in the possession of a dealer, he may give a notice in writing to such dealer informing him that he is about to test such sample or cause the same to be tested with the apparatus and in the manner described in the Schedule hereto annexed, at a time and place to be fixed in such notice, and that such person or his Agent may be present at such testing.

Ibid.
Notice to be given when officer proposes to test samples.

13. On any such testing, if it appears to the officer or other person so testing that the petroleum from which such sample has been taken is first class, second class or dangerous petroleum, such officer or other person may certify such fact, and the certificate so given shall be receivable as evidence in any proceedings which may be taken under this Act against the dealer in whose possession such petroleum was found ; and shall be *prima facie* proof of the fact stated therein.

Ibid.
Certificate as to result of such testing.

Penalties.

14. Any person who, in contravention of this Act or of any rules made hereunder, imports, possesses or transports any petroleum, and any person who otherwise contravenes any such rules or any condition contained in a license granted hereunder, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

Penalty for illegal importation, &c., of petroleum.

15. Any person keeping, transporting, selling or exposing for sale petroleum in vessels not marked as prescribed by section ten shall be punished with fine which may extend to fifty rupees.

34 and 35 Vic., c. 105, s. 63. Penalty for keeping, transporting or exposing for sale petroleum in contravention of section 10.

16. Any dealer in petroleum who refuses or neglects to shew to any officer authorized under section eleven any place, or any of the vessels, in which petroleum in his possession is stored or contained, or to give him such assistance as he may require for examining the same, or to give him samples of such petroleum on payment of the value of such samples, shall be punished with fine which may extend to two hundred rupees.

34 and 35 Vic., c. 105, s. 12. Penalty for refusing to comply with section 11.

17. In any case in which an offence under section fourteen or section fifteen has been committed, the convicting Magistrate may direct that—

Cf. Act I of 1878, s. 11. Confiscation of petroleum.

(*a*) the petroleum in respect of which the offence has been committed, or

(*b*) where the offender is importing or transporting or is in possession of any petroleum exceeding the quantity (if any) which he is permitted to import, transport or possess, as the case may be, the whole of the petroleum which he is importing or transporting, or is in possession of,

shall be confiscated.

Miscellaneous.

18. All rules made by the Local Government under this Act shall be published in the official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law:

Rules when to have force of law.

Provided that no such rule shall be so published without the previous sanction of the Governor General in Council.

19. The Governor General in Council may, from time to time, by notification in the *Gazette of India*, extend the whole or any portion of this Act to any inflammable substance other than petroleum, and may by such notification fix, in substitution for the quantities of petroleum fixed by sections five, seven and eight, the quantities of such substance to which these sections shall apply.

34 and 35 Vic., c. 105, s. 14. Power to extend this Act to other substances.

The Governor General in Council may by a like notification cancel any notification issued under this section.

THE SCHEDULE.

Specification explanatory of the Test Apparatus.

The following is a description of the details of the apparatus:—

Committee's recommendations, para 5, and 42 and 43 Vic., c. 47.

The oil cup consists of a cylindrical vessel 2″ diameter, $2\frac{2}{10}$″ height (internal), with outward projecting rim $\frac{5}{10}$″ wide, $\frac{3}{8}$″ from the top and $1\frac{7}{8}$″ from the bottom of the cup. It is made of gun metal or brass (17 B. W. G.), tinned inside. A bracket, consisting of a short stout piece of wire, bent upwards and terminating in a point, is fixed to the inside of the cup to serve as a gauge. The distance of the point from the bottom of the cup is $1\frac{1}{2}$″. The cup is provided with a closefitting overlapping cover made of brass (22 B. W. G.) which carries the thermometer and test lamp. The latter is suspended from two supports from the side by means of trunnions, upon which it may be made to oscillate; it is provided with a spout the mouth of which is $\frac{1}{16}$″ in diameter. The socket which is to hold the thermometer is fixed at such an angle, and its length is so adjusted, that the bulb of the thermometer, when inserted to its full depth, shall be $1\frac{1}{2}$″ below the centre of the lid.

The cover is provided with three square holes, one in the centre $\frac{5}{10}$″ by $\frac{4}{10}$″, and two smaller ones, $\frac{3}{10}$″ by $\frac{2}{10}$″, close to the sides and opposite each other. These three holes may be closed and uncovered by means of a slide moving in grooves, and having perforations corresponding to those on the lid.

In moving the slide so as to uncover the holes, the oscillating lamp is caught by a pin fixed in the slide, and tilted in such a way as to bring the end of the spout just below the surface of the lid. Upon the slide being pushed back so as to cover the holes, the lamp returns to its original position.

Upon the cover, in front of, and in line with, the mouth of the lamp, is fixed a white bead the dimensions of which represent the size of the test flame to be used.

The bath or heated vessel consists of two flat-bottomed copper cylinders (24 B. W. G.), an inner one of 3″ diameter and $2\frac{1}{2}$″ height, and an outer one of $5\frac{1}{2}$″ diameter and $5\frac{3}{4}$″ height; they are soldered to a circular copper plate (20 B. W. G.) perforated in the centre, which forms the top of the bath, in such a manner as to inclose the space between the two cylinders, but leaving access to the inner cylinder. The top of the bath projects both outwards and inwards about $\frac{3}{8}$″, that is, its diameter is about $\frac{6}{8}$″ greater than that of the body of the bath, while the diameter of the circular opening in the centre is about the same amount less than that of the inner copper cylinder. To the inner projection of the top is fastened, by six small screws, a flat ring of ebonite, the screws being sunk below the surface of the ebonite to avoid metallic contact between the bath and the oil cup. The exact distance between the sides and bottom of the bath of the oil lamp is $1\frac{1}{2}$″. A split socket similar to that on the cover of the oil cup, but set at a right angle, allows a thermometer to be inserted into the space between the two cylinders. The bath is further provided with a funnel, an overflow pipe, and two loop handles.

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a copper cylinder or jacket (24 B. W. G.), flanged at the top, and of such dimensions that the bath, while firmly resting on the iron ring, just touches with its projecting top the inward-turned flange. The diameter of this outer jacket is $6\frac{1}{2}$″. One of the three legs of the stand serves as support for the spirit lamp, attached to it by means of a small swing bracket. The distance of the wick holder from the bottom of the bath is 1″.

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point. The thermometer

for ascertaining the temperature of the water has a long bulb and a space at the top. Its range is from about 90° to 190° Fahrenheit. The scale (in degrees of Fahrenheit) is marked on an ivory back fastened to the tube in the usual way; it is fitted with a metal collar fitting the socket, and the part of the tube below the scale should have a length of about 3½″ measured from the lower end of the scale to the end of the bulb. The thermometer for ascertaining the temperature of the oil is fitted with collar and ivory scale in a similar manner to the one described. It has a round bulb, a space at the top, and ranges from about 55° F. to 150° F.; it measures from end of ivory back to bulb 2¼.″

Directions for applying the Test.

1. The test apparatus is to be placed for use in a position where it is not exposed to currents of air or draughts.

2. The heating vessel or water-bath is filled by pouring water into the funnel until it begins to flow out at the spout of the vessel. The temperature of the water at the commencement of the test is to be 130° Fahrenheit, and this is attained in the first instance either by mixing hot and cold water in the bath, or in a vessel from which the bath is filled, until the thermometer which is provided for testing the temperature of the water gives the proper indication; or by heating the water with the spirit lamp (which is attached to the stand of the apparatus) until the required temperature is indicated.

If the water has been heated too highly, it is easily reduced to 130° by pouring in cold water little by little (to replace a portion of the warm water) until the thermometer gives the proper reading.

When a test has been completed, this water-bath is again raised to 130° by placing the lamp underneath, and the result is readily obtained while the petroleum cup is being emptied, cooled, and refilled with a fresh sample to be tested. The lamp is then turned on its swivel from under the apparatus, and the next test is proceeded with.

3. The test lamp is prepared for use by fitting it with a piece of flat plaited candle-wick, and filling it with colza or rape oil up to the lower edge of the opening of the spout or wick tube. The lamp is trimmed so that when lighted it gives a flame of about 0·15 of an inch diameter, and this size of flame which is represented by the projecting white bead on the cover of the oil cup is readily maintained by simple manipulation from time to time with a small wire trimmer.

When gas is available it may be conveniently used in place of the little oil lamp, and for this purpose a test flame arrangement for use with gas may be substituted for the lamp.

4. The bath having been raised to the proper temperature, the oil to be tested is introduced into the petroleum cup, being poured in slowly until the level of the liquid just reaches the point of the gauge which is fixed in the cup. In warm weather the temperature of the room in which the samples to be tested have been kept should be observed in the first instance, and if it exceeds 65°, the samples to be tested should be cooled down (to about 60°) by immersing the bottle containing them in cold water, or by any other convenient method. The lid of the cup, with the slide closed, is then put on, and the cup is put into the bath or heating vessel. The thermometer in the lid of the cup has been adjusted so as to have its bulb just immersed in the liquid, and its position is not under any circumstances to be altered. When the cup has been placed in the proper position, the scale of the thermometer faces the operator.

NOTE.—A model apparatus is deposited at the office of the Master of the Mint, Calcutta.

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5. The test lamp is then placed in position upon the lid of the cup, the lead line or pendulum,* which has been fixed in a convenient position in front of the operator, is set in motion, and the rise of the thermometer in the petroleum cup is watched. When the temperature has reached about 66°, the operation of testing is to be commenced, the test flame being applied once for every rise of one degree in the following manner:—

The slide is slowly drawn open while the pendulum performs three oscillations, and is closed during the fourth oscillation.

NOTE.—If it is desired to employ the test apparatus to determine the flashing points of oils of very low volatility, the mode of proceeding is to be modified as follows:—

The air chamber which surrounds the cup is filled with cold water, to a depth of 1½ inches, and the heating vessel or water-bath is filled as usual, but also with cold water. The lamp is then placed under the apparatus and kept there during the entire operation. If a very heavy oil is being dealt with, the operation may be commenced with water previously heated to 120°, instead of with cold water.

STATEMENT OF OBJECTS AND REASONS.

FOR some time past the dangerous nature of the inflammable oils which are being imported into this country has been engaging the attention of Government. In November, 1878, the notice of the Government of India was first drawn to the subject by the Government of Bombay, with a view, if necessary, to legislation being resorted to to check the importation of dangerous oils. On a reference being made to the Government of Bengal as to the expediency of such legislation, it was found that the subject had already been for some time before that Government, and that a Committee had been appointed for the purpose of considering the question of these oils in all its bearings. This Committee, which was composed of officials, experts and gentlemen interested in the trade, has presented its report, in which it strongly urges the necessity for legislation, and puts forward certain recommendations as to the lines on which in its opinion such legislation should proceed.

2. These recommendations follow, with certain modifications, introduced to meet the special circumstances, climatic and otherwise, of India, the outlines of 34 & 35 Vic., cap. 105 (since amended by 42 & 43 Vic., cap. 47). which is the principal Act governing this subject in the United Kingdom. They appear well adapted to carry out the object which the Committee had in view, namely, practical security of life and property, with the minimum of restrictions on an important and rapidly developing trade.

3. The following is the general substance of the conclusions of the Committee:—

1*st*.—All petroleum should be divided into three classes, namely,—

(*a*) first class petroleum with a flashing point at or above 103° F.;	According to Abel's close test.
(*b*) second class petroleum with a flashing point between 83° and 103° F.;	
(*c*) dangerous petroleum with a flashing point below 83° F.	

2*ndly*.—All petroleum should be tested by Abel's close test, which has recently been adopted in the United Kingdom (see 42 & 43 Vic., cap 47, the Petroleum Act, 1879), for the purposes of the Petroleum Act, 1871, in preference to the old or open test which was fixed by that Act.

3*rdly*.—As second class petroleum flashes only at a temperature of 83°, or 10° higher than the temperature (73°) at which petroleum is considered safe enough to be exempted

* This pendulum is two (2) feet in length from the point of suspension to the centre of gravity of the weight.

from the provisions of the English Petroleum Act (see 42 & 43 Vic., cap. 47), and may therefore be regarded as at all events fairly safe, the importation, storage and transport of such petroleum, as well as of first class petroleum, should be left reasonably free, while the importation, storage and transport of dangerous petroleum, if not actually prohibited, should be subjected to such severe restrictions as practically to be so for purposes of ordinary use.

4. The Government of India has considered this report, and is disposed to concur generally in its conclusions and in the scheme of legislation contained in the Committee's recommendations. As the Government of Madras and the Chief Commissioner of Burma, as well as the Governments of Bombay and Bengal, are in favor of legislation, the Government of India is willing to accept the recommendation of the Committee that the legislation to be undertaken should be in the Council of the Governor General, and accordingly the present Bill, which embodies generally the recommendations of the Committee, has been prepared.

5. As it seems desirable to check at once and generally, the trade in dangerous petroleum (and it would be unfair if all ports were not put on the same footing as to the importation of first class and second class petroleum), the provisions of the Bill relating to dangerous petroleum and the importation of first class and second class petroleum are made to extend to the whole of India; but its other provisions are only applicable at the discretion of the Local Government.

The details of the measure have been left in a great measure to rules to be framed by the Local Government, with the sanction of the Governor General in Council, as this seems the most convenient course in a case of this sort, where the local circumstances and peculiar features of the trade of various places have to be considered.

6. A section has been added to the Bill corresponding with section 14 of 34 & 35 Vic., cap. 105, enabling the Governor General in Council hereafter to extend the Act to substances other than petroleum, and to adapt certain of the provisions of the Act to the case of such substances.

7. The length of the pendulum which was by an oversight omitted from the description of Professor Abel's test in the first schedule to the 42 & 43 Vic., cap. 47, has been inserted in a foot-note to the schedule of the Bill on information furnished by Mr. Pedler.

8. The opportunity has been taken to repeal the thirty-seventh section of the Indian Ports Act relating to inflammable oils, and Bengal Act, No. III of 1865, which regulates in Calcutta and Howrah the importation and storage of inflammable oils, as the present Bill will make those enactments unnecessary.

The 3rd July 1880. WHITLEY STOKES.

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